

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

MARY JO SNYDER,  
Plaintiff

V.

UNUM GROUP,  
Defendant

CIVIL ACTION NO.

**NOTICE OF REMOVAL**

Defendant, Unum Group, (“Unum”) pursuant to 28 U.S.C. §§ 1441 and 1446, et seq., removes this civil action commenced in the Superior Court of Worcester County, Commonwealth of Massachusetts Docket No. 218CV00967 to this Court. In support of removal, Unum states:

**I. REMOVAL TO THIS DISTRICT IS PROPER AND TIMELY**

1. Plaintiff, Mary Jo Snyder, commenced this Action by filing the Complaint (appended hereto as **Exhibit 1**, a copy of Notice of Service of Process, **Exhibit 2**, a copy of the Complaint and **Exhibit 3**, a copy of the state court docket) in the Superior Court of Worcester County, Commonwealth of Massachusetts, on or about August 31, 2021. Plaintiff alleges four counts: Count I, Breach of Contract, Count II, Breach of the Covenant of Good Faith and Fair Dealing, Count III, Negligence, Count IV, Violation of M.G.L. c. 93 A. See **Exhibit 2**, Complaint at Counts I-IV.

2. Plaintiff alleges she was issued a Policy disability insurance from Unum on April 1, 2020, Policy #06-750-6906950 (“the Policy”). **Exhibit 2**, Complaint ¶ 11.

3. Plaintiff alleges she became Totally Disabled on May 18, 2020. *Id.* at ¶ 16.

4. The Policy provides a monthly benefit for Total Disability in the amount of \$7,500. *Id.* at ¶11.

5. Plaintiff made a claim under the Policy alleging that she was Totally Disabled. *Id.* at ¶ 16.

6. The claim was subsequently denied and Plaintiff was informed that the Policy was rescinded. *Id.* at ¶ 17.

7. Plaintiff served Unum with the Complaint via CSC on September 8, 2021.

**Exhibit 1.**

8. Unum has reasonably complied with 28 U.S.C. § 1446 (a) and (b) by attaching all “process, pleadings and orders served upon” it, at **Exhibit 1, 2 and 3.**

9. Beyond the filing of the Complaint, there have been no other proceedings in the Superior Court to the knowledge of Unum. **Exhibit 3.**

**II. STATUTORY BASIS FOR ORIGINAL JURISDICTION**

**A. Complete Diversity Exists Between All Properly Joined Defendants.**

10. The Plaintiff is alleged to be a resident of the state of Florida. *See* **Exhibit 2**, Complaint at ¶ 1.

11. Unum is an insurance holding company organized under the laws of Delaware. Its principal place of business is Chattanooga, Tennessee.

12. Complete diversity of citizenship exists between Plaintiff and Defendant Unum.

**B. The Amount in Controversy Requirement is Satisfied.**

13. Plaintiff’s Complaint seeks payment of disability insurance benefits of \$7,500.00 per month to date and additional future Policy benefits including costs, interest, attorney’s fees, and multiple damages. *See*, **Exhibit 2**, Complaint, Prayer For Relief, p. 15.

14. Accordingly, the amount in dispute exceeds \$75,000.00, exclusive of interest and costs.

**III. ALL OTHER PREREQUISITES FOR REMOVAL HAVE BEEN SATISFIED**

15. Because sufficient diversity, discussed supra, and requisite amount in controversy exist, this Court has original jurisdiction of this action pursuant to 28 U.S.C. § 1332(a).

16. This Action may therefore be removed to this Court pursuant to 28 U.S.C. § 1441(a).

17. Pursuant to 28 U.S.C. § 1446(b), this removal is timely filed as it comes within thirty days after the receipt by Unum, through service or otherwise, of the initial pleading setting forth the claims for relief.

18. The Superior Court of Worcester County, Commonwealth of Massachusetts is located within the District of Massachusetts. Venue is proper in this Court pursuant to 28 U.S.C. § 1441(a) because this is the “district and division embracing the place where such action is pending.”

19. Pursuant to 28 U.S.C. § 1446(d), Unum is on this day filing a copy of this Notice of Removal with the Superior Court of Worcester County, Commonwealth of Massachusetts and serving due notice on Plaintiff’s Counsel.

WHEREFORE, Defendant Unum respectfully requests that this action stand removed from the Superior Court of Worcester County, Commonwealth of Massachusetts to this Court.

UNUM GROUP

By its attorney,

/s/ J. Christopher Collins

J. Christopher Collins

BBO #092410

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Dated: September 24, 2021

CERTIFICATE OF SERVICE

I, J. Christopher Collins, hereby certify that this document(s), filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on September 24, 2021.

/s/ J. Christopher Collins

J. Christopher Collins, Esq.